

Editorial Notes

AMENDMENTS

Pub. L. 112-239 substituted “Administrator of FEMA” for “Director” wherever appearing.

1992—Pub. L. 102-522, §104(1), struck out “certified” before “places” in section catchline.

Subsec. (a). Pub. L. 102-522, §104(2), inserted “(acting through its Governor or the Governor’s designee)” after “each State” in pars. (1) and (2) and struck out “the Governor of the State or his designee certifies” after “in the State which” in par. (1).

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2225. Fire prevention and control guidelines for places of public accommodation**(a) Contents of guidelines**

The guidelines referred to in sections 2224 and 2226 of this title consist of—

(1) a requirement that hard-wired, single-station smoke detectors be installed in accordance with National Fire Protection Association Standard 74 or any successor standard to that standard in each guest room in each place of public accommodation affecting commerce; and

(2) a requirement that an automatic sprinkler system be installed in accordance with National Fire Protection Association Standard 13 or 13-R, or any successor standard to that standard, whichever is appropriate, in each place of public accommodation affecting commerce except those places that are 3 stories or lower.

(b) Exceptions

(1) The requirement described in subsection (a)(2) shall not apply to a place of public accommodation affecting commerce with an automatic sprinkler system installed before October 25, 1992, if the automatic sprinkler system is installed in compliance with an applicable standard (adopted by the governmental authority having jurisdiction, and in effect, at the time of installation) that required the placement of a sprinkler head in the sleeping area of each guest room.

(2) The requirement described in subsection (a)(2) shall not apply to a place of public accommodation affecting commerce to the extent that such place of public accommodation affecting commerce is subject to a standard that includes a requirement or prohibition that prevents compliance with a provision of National Fire Protec-

tion Association Standard 13 or 13-R, or any successor standard to that standard. In such a case, the place of public accommodation affecting commerce is exempt only from that specific provision.

(c) Effect on State and local law

The provisions of this section shall not be construed to limit the power of any State or political subdivision thereof to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(d) Definitions

For purposes of this section, the following definitions shall apply:

(1) The term “smoke detector” means an alarm that is designed to respond to the presence of visible or invisible particles of combustion.

(2) The term “automatic sprinkler system” means an electronically supervised, integrated system of piping to which sprinklers are attached in a systematic pattern, and which, when activated by heat from a fire, will protect human lives by discharging water over the fire area, and by providing appropriate warning signals (to the extent such signals are required by Federal, State, or local laws or regulations) through the building’s fire alarm system.

(3) The term “governmental authority having jurisdiction” means the Federal, State, local, or other governmental entity with statutory or regulatory authority for the approval of fire safety systems, equipment, installations, or procedures within a specified locality.

(Pub. L. 93-498, §29, as added Pub. L. 101-391, §3(a), Sept. 25, 1990, 104 Stat. 748; amended Pub. L. 102-522, title I, §105, Oct. 26, 1992, 106 Stat. 3411; Pub. L. 105-108, §3(1)-(3), Nov. 20, 1997, 111 Stat. 2264.)

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1997—Subsec. (a)(1). Pub. L. 105-108, §3(1), inserted “or any successor standard to that standard” after “Association Standard 74”.

Subsec. (a)(2). Pub. L. 105-108, §3(2), inserted “, or any successor standard to that standard” before “, whichever is appropriate.”.

Subsec. (b)(2). Pub. L. 105-108, §3(3), inserted “, or any successor standard to that standard” after “Association Standard 13 or 13-R”.

1992—Subsecs. (b) to (d). Pub. L. 102-522, §105(a), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

Subsec. (d)(3). Pub. L. 102-522, §105(b), added par. (3).

§ 2225a. Prohibiting Federal funding of conferences held at non-certified places of public accommodation**(a) In general**

No Federal funds may be used to sponsor or fund in whole or in part a meeting, convention, conference, or training seminar that is conducted in, or that otherwise uses the rooms, facilities, or services of, a place of public accommodation that does not meet the requirements of the fire prevention and control guidelines described in section 2225 of this title.

(b) Waiver**(1) In general**

The head of an agency of the Federal Government sponsoring or funding a particular meeting, convention, conference, or training seminar may waive the prohibition described in subsection (a) if the head of such agency determines that a waiver of such prohibition is necessary in the public interest in the case of such particular event.

(2) Delegation of authority

The head of an agency of the Federal Government may delegate the authority provided under paragraph (1) to waive the prohibition described in subsection (a) and to determine whether such a waiver is necessary in the public interest to an officer or employee of the agency if such officer or employee is given such authority with respect to all meetings, conventions, conferences, and training seminars sponsored or funded by the agency.

(c) Notice requirements**(1) Advertisements and applications**

(A) Any advertisement for or application for attendance at a meeting, convention, conference, or training seminar sponsored or funded in whole or in part by the Federal Government shall include a notice regarding the prohibition described in subsection (a).

(B) The requirement described in subparagraph (A) shall not apply in the case of an event for which a head of an agency of the Federal Government, pursuant to subsection (b), waives the prohibition described in subsection (a).

(2) Providing notice to recipients of funds

(A) Each Executive department, Government corporation, and independent establishment providing Federal funds to non-Federal entities shall notify recipients of such funds of the prohibition described in subsection (a).

(B) In subparagraph (A), the terms “Executive department”, “Government corporation”, and “independent establishment” have the meanings given such terms in chapter 1 of title 5.

(d) Effective date

The provisions of this section shall take effect on the first day of the first fiscal year that begins after the expiration of the 425-day period that begins on the date of the publication in the Federal Register of the master list referred to in section 2224(b) of this title.

(Pub. L. 101–391, §6, Sept. 25, 1990, 104 Stat. 751.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the Hotel and Motel Fire Safety Act of 1990, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

§ 2226. Dissemination of fire prevention and control information

The Administrator of FEMA, acting through the Administrator, is authorized to take steps to

encourage the States to promote the use of automatic sprinkler systems and automatic smoke detection systems, and to disseminate to the maximum extent possible information on the life safety value and use of such systems. Such steps may include, but need not be limited to, providing copies of the guidelines described in section 2225 of this title and of the master list compiled under section 2224(b) of this title to Federal agencies, State and local governments, and fire services throughout the United States, and making copies of the master list compiled under section 2224(b) of this title available upon request to interested private organizations and individuals.

(Pub. L. 93–498, §30, as added Pub. L. 101–391, §3(a), Sept. 25, 1990, 104 Stat. 748; amended Pub. L. 112–239, div. A, title XVIII, §1802(b)(1), Jan. 2, 2013, 126 Stat. 2100.)

Editorial Notes**AMENDMENTS**

2013—Pub. L. 112–239 substituted “Administrator of FEMA” for “Director”.

Statutory Notes and Related Subsidiaries**TRANSFER OF FUNCTIONS**

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§ 2227. Fire safety systems in federally assisted buildings**(a) Definitions**

For purposes of this section, the following definitions apply:

(1) The term “affordable cost” means the cost to a Federal agency of leasing office space in a building that is protected by an automatic sprinkler system or equivalent level of safety, which cost is no more than 10 percent greater than the cost of leasing available comparable office space in a building that is not so protected.

(2) The term “automatic sprinkler system” means an electronically supervised, integrated system of piping to which sprinklers are attached in a systematic pattern, and which, when activated by heat from a fire—

(A) will protect human lives by discharging water over the fire area, in accordance with the National Fire Protection Association Standard 13, 13D, or 13R, whichever is appropriate for the type of building and occupancy being protected, or any successor standard thereto; and